

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT
AGENDA

DATE: MONDAY, APRIL 21, 2014
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 36 – 2014 – CDBG BUDGET AT 6:30PM

1. ROLL CALL *SCASSA ABSENT*
2. INVOCATION BY COUNCILWOMAN MEGAN STARRETT
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 44 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING - P.H. 5/19 @ 7:00

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to RCRD Condominium Residential.

ORDINANCE NO. 45 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING - P.H. 5/19 @ 7:15

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to RM-1 Multiple Family Residential.

ORDINANCE NO. 46 – 2014

BY: ENVIRONMENTAL COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Anaerobic Digester Cleaning at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 47 – 2014

BY: ENVIRONMENTAL COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for Process Waste Removal at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 48 – 2014

BY: PUBLIC UTILITIES COMMITTEE

1ST READING

AN ORDINANCE establishing a street lighting district encompassing the entire City of Massillon, Ohio.

ORDINANCE NO. 49 – 2014

BY: PUBLIC UTILITIES COMMITTEE

1ST READING
AN ORDINANCE to assess a street lighting fee.

ORDINANCE NO. 50 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS B-O
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, and enter into contract upon the award and approval of the Board of Control, with the lowest and best bidder for various items needed for the use in various departments of the city, and declaring an emergency.

ORDINANCE NO. 51 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS B-O
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, and enter into contract upon the award and approval of the Board of Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location, and declaring an emergency.

ORDINANCE NO. 52 – 2014

BY: FINANCE COMMITTEE

PASS B-O
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund, Bond Retirement WWT Fund and the Income Tax Capital Improvement Fund, for the year ending December 31, 2014, and declaring an emergency.

ORDINANCE NO. 53 – 2014

BY: FINANCE COMMITTEE

PASS B-O
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Fund, for the year ending December 31, 2014, and declaring an emergency.

ORDINANCE NO. 54 – 2014

BY: FINANCE COMMITTEE

PASS B-O
AN ORDINANCE making certain transfers in the 2014 appropriations from within the 2102 Solid Waste Fund, for the year ending December 31, 2014, and declaring an emergency.

ORDINANCE NO. 55 – 2014

BY: FINANCE COMMITTEE

PASS B-O
AN ORDINANCE authorizing the Director of Public Service and Safety to accept the FY 2011 Law Enforcement State Homeland Security Program Grant from the Ohio Department of Homeland Security for the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 56 – 2014

BY: FINANCE COMMITTEE

1ST READING
AN ORDINANCE amending CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon and enacting new Section 181.031 LEVY OF ADDITIONAL TAX to reflect the increase in the municipal income tax rate from one and eight-tenths percent (1.8%) to 1.95% percent to be effective January 1, 2015 subject to the approval of the electors of the City of Massillon at the General Election to be held on November 4, 2014.

ORDINANCE NO. 57 – 2014

BY: FINANCE COMMITTEE

1st READING
AN ORDINANCE amending Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon by enacting a new Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of said CHAPTER 181 "INCOME TAX".

ORDINANCE NO. 58 – 2014

BY: COMMITTEE OF THE WHOLE

PASS B-O
MASSILLON CITY COUNCIL FINANCIAL RECOVERY PLAN.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM MASSILLON DRIVE THRU LLC DBA MASSILLON BREW THRU 604 LINCOLN WAY W & DRIVE THRU MASSILLON OHIO 44647 TO J LALLY INC DBA MASSILLON DRIVE THRU 604 LINCOLN WAY W & DRIVE THRU MASSILLON OHIO 44647

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- A. MAYOR SUBMITS MONTHLY REPORT FOR FEBRUARY 2014
- B. TREASURER SUBMITS MONTHLY REPORT FOR MARCH 2014

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 29 – 2014

BY: FINANCE COMMITTEE

PASS 7-1 (MANSON)
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – MUNICIPAL COURT of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – MUNICIPAL COURT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – MUNICIPAL COURT, in the City of Massillon, Ohio, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 33 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

2nd READING
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Modern Ritual Piercing to provide an economic development "inducement grant" to assist the company in renovation expenses at 28 Erie Street N., and declaring an emergency.

ORDINANCE NO. 34 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Pampered Nails Boutique to provide an economic development "inducement grant" to assist the company in renovation expenses at 2107 Lincoln Way West, and declaring an emergency.

ORDINANCE NO. 36 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

ORDINANCE NO. 38 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

5/5/16:30 P.H.

AN ORDINANCE expanding the boundaries of the Massillon Historic District.

ORDINANCE NO. 42 – 2014

BY: FINANCE COMMITTEE

2ND READING

-SECTION 2 PULLED OUT. & PASS 8-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund and the Parking Enforcement Fund, for the year ending December 31, 2014, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 44 - 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to RCRD Condominium Residential.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from RM-1 Multiple Family Residential to RCRD Condominium Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on April 9th, 2014 and that notice and public hearing has been given according to law.

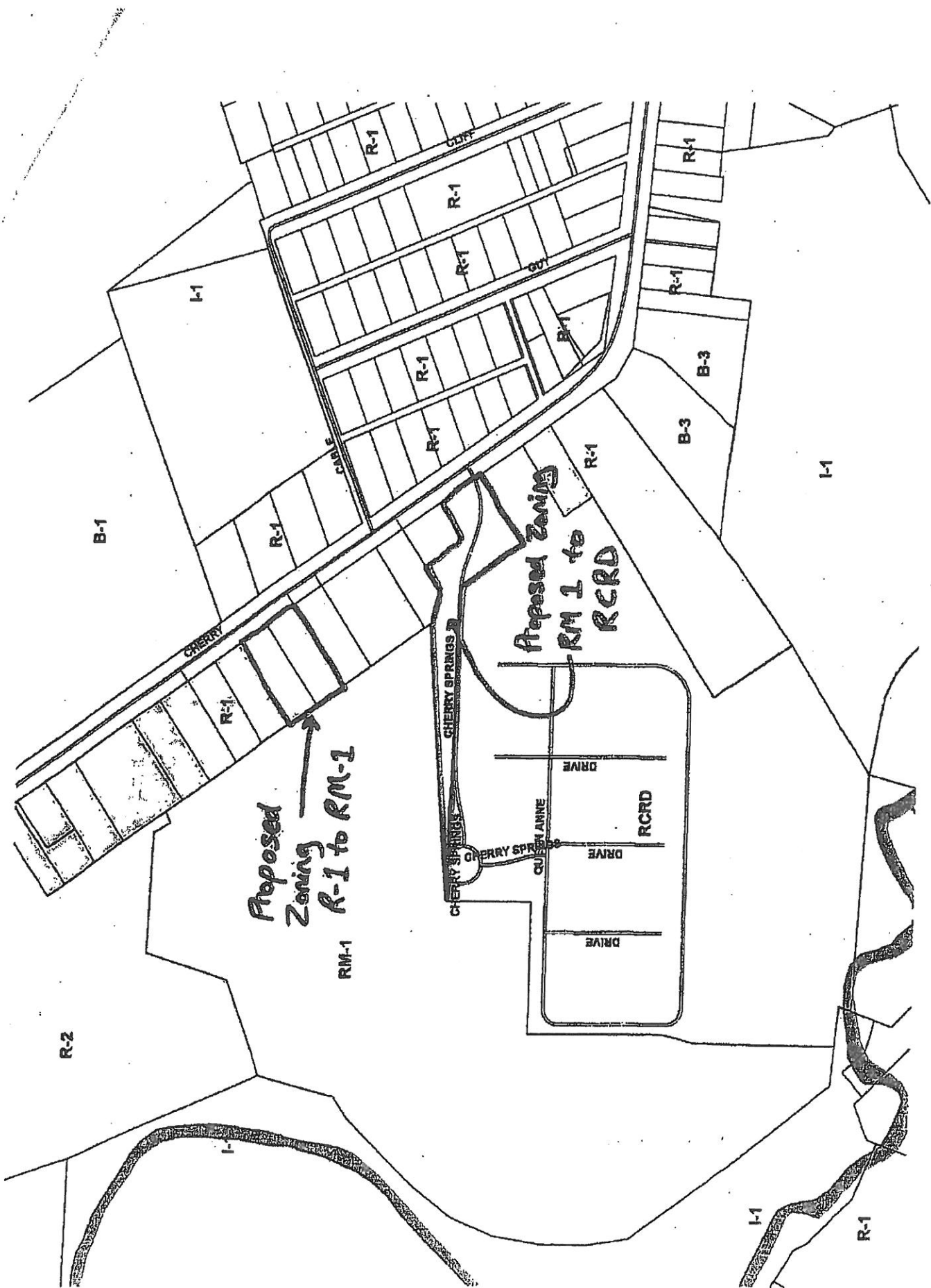
Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as RCRD Condominium Residential.

Being known as Part of Out Lot 1028, located on the south side of Cherry Rd NW with a total of 1.031 acres to be rezoned. The applicant is Cherry Springs of Massillon LLC. The purpose for the rezoning is the applicant is in the process of re-platting several properties and is combining this lot with the existing condominium parcel adjoining to the south.

Section 3:

Provided it receives the affirmative vote of majority of the elected members of Council this ordinance it shall take effect and be in force from and after the earliest period allowed by law.



DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 45 - 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to RM-1 Multiple Family Residential.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from R-1 Single Family Residential to RM-1 Multiple Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on April 9th, 2014 and that notice and public hearing has been given according to law.

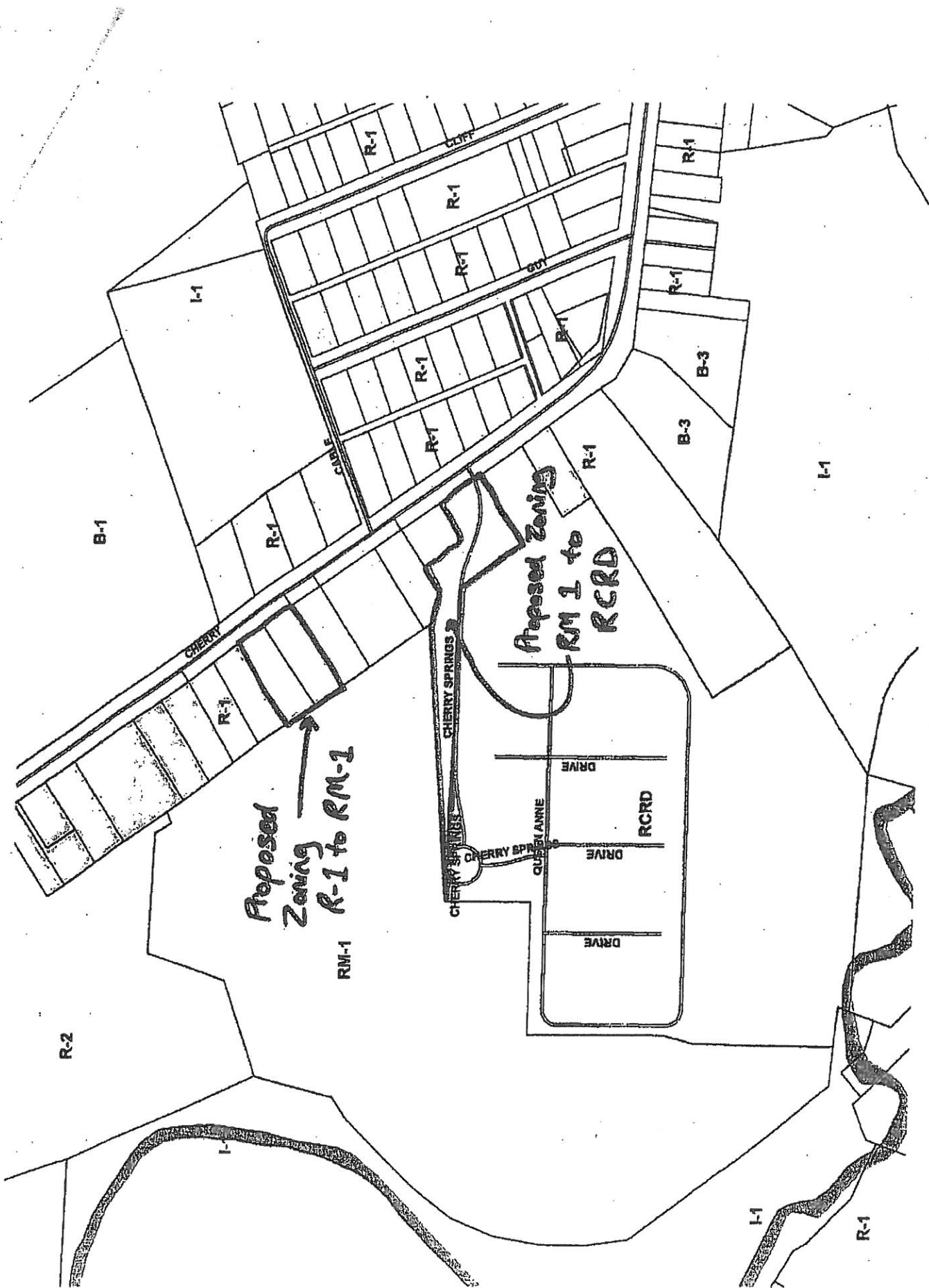
Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as RM-1 Multiple Family Residential.

Being known as Lots 17179 and 17180, located on the south side of Cherry Rd NW with a total of 0.857 acres to be rezoned. The applicant is Cherry Springs of Massillon LLC. The purpose for the rezoning is the applicant is in the process of re-platting several properties and is required to combine the above lots with the adjacent parcel to the rear in order to maintain frontage on a public street.

Section 3:

Provided it receives the affirmative vote of majority of the elected members of Council this ordinance it shall take effect and be in force from and after the earliest period allowed by law.



DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 46 - 2014

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Anaerobic Digester Cleaning at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Anaerobic Digester Cleaning at the Wastewater Treatment Plant in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications, advertise for and receive sealed bids and to enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder for the Anaerobic Digester Cleaning at the Wastewater Treatment Plant. The estimated cost of the project is Four Hundred Ninety-Eight Thousand Two Hundred Dollars (\$498,200.00) with 46.47% of the project cost to be provided by Stark County and the City share to be provided from the 1406 Wastewater Capital Improvement Fund.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to advertise for bids and enter into contract for the Anaerobic Digester Cleaning at the Wastewater Treatment Plant. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 47 - 2014

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for Process Waste Removal at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for Process Waste Removal at the Wastewater Treatment Plant in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications, advertise for and receive sealed bids and to enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder for Process Waste Removal at the Wastewater Treatment Plant. The contract will be for a three (3) year term.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to advertise for bids and enter into contract for Process Waste Removal at the Wastewater Treatment Plant. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 48 - 2014

BY: PUBLIC UTILITIES COMMITTEE

AN ORDINANCE ESTABLISHING A STREET LIGHTING DISTRICT EMCOMPASSING THE ENTIRE CITY OF MASSILLON, OHIO.

WHEREAS, the Council of the City of Massillon, Ohio has determined that a Street Lighting District should be established encompassing the entire City of Massillon, Ohio; and

WHEREAS, City Council has determined that it is in the public interest, safety and welfare to establish such a Street Lighting District which boundaries are co-extensive with the geographical limits of the City.

BE IT ORDAINED, by the City of Massillon, County of Stark and State of Ohio:

SECTION 1. That there be and is hereby established a Street Lighting District within the City of Massillon, Ohio which District shall encompass the entire City of Massillon, Ohio and shall be designated Street Lighting District No. 1.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council or any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall go into effect at the earliest period provided by law.

Passed this ___ day of _____, 2014.

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 49 - 2014

BY: PUBLIC UTILITIES COMMITTEE

AN ORDINANCE TO ASSESS A STREET LIGHTING FEE.

WHEREAS, the City has established a Street Lighting District; and

WHEREAS, the City has created line item _____ for the collection of street lighting fees; and

WHEREAS, the City has the authority pursuant to Ohio Revised Code Section 727.01 and Article XVIII, Section 3, of the Ohio Constitution to charge a portion of the costs of street lighting to the property owners in the City; and

WHEREAS, the cost to the City for street lighting is approximately _____ annually; and

WHEREAS, the cost associated with street lighting includes but is not limited to operation, repair and maintenance of street lights; and

WHEREAS, the City has no obligation to provide street lighting within the City except in certain areas such as intersections; and

WHEREAS, sufficient street lighting is a benefit to all citizens and property owners and promotes the general health, safety and welfare of the citizens of Massillon as it results in increased visibility and safety for property owners, pedestrians and motor vehicles, as well as acting as a deterrent to criminal activity; and

WHEREAS, City Council has determined that it is fair, appropriate and reasonable that the cost of the operation and maintenance be paid on a fair and reasonable basis by all of the property so benefited and the cost should be charged and collected from all such benefited property, except for those exempted below; and

WHEREAS, the amount of the street lighting fee will be \$25.00 per year per property and such amount is in proportion to the benefits that result from street lighting and will be assessed on the sewer bill each quarter in arrears, commencing April 1, 2014; and

WHEREAS, any and all fees collected will be placed into a fund designated solely for the street lighting; and

WHEREAS, any quarterly fee not paid in full by December 31 of any year will be certified to the Stark County Auditor and will become a lien on the property to be collected as real estate taxes.

BE IT ORDAINED, by the City of Massillon, County of Stark and State of Ohio:

SECTION 1. That each property in the City of Massillon will be charged a street lighting fee in the amount of \$25.00 per month per property commencing April 1, 2014.

SECTION 2. That the street lighting fee will be placed on the water/sewer bill for each property.

SECTION 3. That any parcel of real estate not serviced by water and / or sewer will be sent an annual bill for the street lighting fee on or about January 1st of each year, except for 2014, which will be billed on or before October 1, 2014 on a prorated basis for 2014.

SECTION 4: That a charge shall not be made against City owned land, or land owned by the Massillon Area City Schools. Any person or corporation that has a separate contract or agreement with the City relative to lighting shall be charged the street lighting fee in addition to any contractual amount.

SECTION 5. Any street lighting fee not paid by December 31 of any year shall be certified to the Stark County Auditor and will become a lien on the real estate to be collected as taxes.

SECTION 6. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council or any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7. That this ordinance shall go into effect at the earliest period provided by law.

Passed this ____ day of _____, 2014.

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 50 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, and enter into contract upon the award and approval of the Board of Control, with the lowest and best bidder for various items needed for the use in various departments of the city, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon the award and approval of the Board of Control, with the lowest and best bidder for various items needed for the use in various departments of the city.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to advertise for and receive sealed bids, and enter into contract with the lowest and best bidder for various items needed for the use in various departments of the city.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is declared to be an emergency measure for the reason that the items are needed for the efficient operation of the city, and due to the time involved in advertising and bid process it must be commenced immediately so that the items are available for use as soon as possible as the various items are needed for the efficient operation of the various departments. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 51 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to advertise for and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location.

Section 3:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community, and for the additional reason with the continuing high cost of fuel for city vehicles to go out for bids for the purchase of fuel for the efficient operation of the various departments. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 52 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund, Bond Retirement WWT Fund and the Income Tax Capital Improvement Fund, for the year ending December 31, 2014, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund, for the year ending December 31, 2014, the following:

\$65,614.00 to an account entitled "Capital Purchases." 1406.610.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Bond Retirement WWT Fund, for the year ending December 31, 2014, the following:

\$8,000.00 to an account entitled "Fees." 1305.940.2393

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Income Tax Capital Improvement Fund, for the year ending December 31, 2014, the following:

\$7,159.00 to an account entitled "Auditor – New Equipment." 1401.205.2530

Section 4:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 5:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2014

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 53 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Fund, for the year ending December 31, 2014, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 1234 Fund, for the year ending December 31, 2014, the following:

\$275,000.00 to an account entitled "Park Equipment." 1234.505.2530

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 54 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2014 appropriations from within the 2102 Solid Waste Fund, for the year ending December 31, 2014, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is transferred from the 2014 appropriation from within the 2102 Solid Waste Fund, for the year ending December 31, 2014, the following:

FROM:	Transfer Out	2102.605.2752	\$29,774.35
TO	Transfer In	1100.905.1860	\$29,774.35

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the funds are required in the specific accounts to pay city obligations by the end of 2014. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

2nd page is the signature page

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 55 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to accept the FY 2011 Law Enforcement State Homeland Security Program Grant from the Ohio Department of Homeland Security for the Massillon Police Department, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to accept the FY 2011 Law Enforcement State Homeland Security Program Grant from the Ohio Department of Homeland Security. The grant will cover the cost for One (1) ID Networks Criminal Livescan Booking Station Package which will require no matching funds from the city.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept the FY 2011 Law Enforcement State Homeland Security Program Grant from the Ohio Department of Homeland Security for the Massillon Police Department.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the reason that the grant is necessary for the purchase of One (1) ID Networks Criminal Livescan Booking Station package for the Massillon Police Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 57 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" OF CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon by enacting a new Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of said CHAPTER 181 "INCOME TAX".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of said CHAPTER 181 "INCOME TAX" of the Codified Ordinance of the City of Massillon be and hereby is repealed.

Section 2:

That there be and hereby is enacted a new Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of said CHAPTER 181 "INCOME TAX" of the Codified Ordinance of the City of Massillon. Said section shall read as follows:

181.15 CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY

- (a) Where a resident of this Municipality is subject to a municipal income tax in another municipality or in a joint economical development district, such resident shall be allowed a credit of the amount of income tax paid on such taxable income to such other municipality, equal to twenty-five percent of the amount obtained by multiplying the lower of the tax rate of such other municipality or of this Municipality by the taxable income earned in or attributable to the municipality of employment or business activity.
- (b) Every individual taxpayer who resides in this municipality who receives net profits, Salaries, wages, commissions, or other personal service compensation for work done or services performed or rendered outside of this municipality, if it is made to appear that he had paid a municipal income tax on the same income taxable under this chapter

to another municipality or in a joint economical district, shall be allowed a credit in the amount of fifty percent against the tax imposed by this chapter in the amount paid by him or in his behalf to the other municipality or a joint economical development district. The credit shall not exceed the amount of fifty percent of tax assessed by this chapter on the income earned in the other municipality or municipalities or in a joint development district, where the tax is paid.

Section 3:

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

ATTEST: _____
MARY BETH BAILEY, CLERK OF COUNCIL TONY M. TOWNSEND, PRESIDENT

APPROVED: _____
KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 21, 2014

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 58 - 2014

BY: COMMITTEE OF THE WHOLE

Section 1:

MASSILLON CITY COUNCIL FINANCIAL RECOVERY PLAN

1. Sources of Additional Revenue

(a) 181.031 LEVY OF ADDITIONAL TAX

In addition to the income tax levied pursuant to Section 181.03 there is hereby levied, to provide funds for the purpose of expenses of operation of the municipal government, a tax upon earnings at the additional rate of one-tenth of one percent (.10%) upon those items enumerated in Section 181.03.

(b) Approve a street lighting utility fee with an effective date at the beginning of a quarter-year date, preferably April 1, 2014. Under this plan, each improved property owner will be charged a fee of \$25.00 per year. (Same as Mayor's)

(c) Evaluate existing debt refinancing opportunities. (Same as Mayor's)

(d) Identify non-essential City assets. (Same as Mayor's)

(e) Evaluate new and existing fees for permits, licenses and services and bring them current with other similar cities. (Same as Mayor's)

(f) Review and evaluate collections practices in various City departments. (Same as Mayor's)

(g) Adopt selected revenue generating recommendations contained in the Auditor of State Performance Audits for the Police Department, Parks and Recreation Department and The Legends of Massillon Golf Course. (Same as Mayor's)

(h) Explore grant possibilities for virtually every aspect of City operations. (Same as Mayor's)

2. Expenditure Reductions, Cash Management Strategies and the Elimination of Deficit Funds
(Same as Mayor's)

3. Amend Section 181.15 "Credit For Tax Paid To Another Municipality" by reducing the 100% tax credit to a 75% tax credit effective July 1, 2014, provided that said reduction shall automatically expire December 31, 2015 if the voters of the City of Massillon do not pass a ballot issue prior to December 31, 2015, raising the income tax above 1.8% as stated in number one above.

Section 2:

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

APPROVED: _____

MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR